

John Thornton
P.O. Box 31258
Mesa, Arizona 85275
(602) 635-1974

United States District Court
District of Minnesota

UNITED STATES OF AMERICA" aka "Jefferey)
Wagner")
petitioner,)
vs.)
John Thornton,)
alleged respondent)

Civil docket #13-mc-87 (SRN/TNL)
Motion to vacate order to show cause

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CLERK U.S. DIST. COURT
MINNEAPOLIS, MN

Now Comes John Thornton, alleged respondent, by special appearance and under threat, duress and coercion, not submitting to the court's (judges Leung and Nelson) asserted jurisdiction over me, who hereby moves to vacate the ex parte order to show cause. Once again Gerald Wilhelm has failed to provide me with a copy of his motion. Due process is again violated as I was not given a copy and opportunity to defend before being ordered to perform again by the judges of this court. Grounds are further set forth below.

1. Motion was ex parte. Just like the affidavit of good faith from known IRS agent Wagner, Wilhelm fails to provide us with a copy of this motion; an ex parte motion the court granted at breakneck speed. We're curious as to why the court is so quick to grant Wilhelm's motions.

This is another blatant due process violation as we are again being coerced without any opportunity to respond and defend against the motion. It is absolutely no defense to this due process violation that it *may* be addressed on the day we've been ordered to participate.

Justice and due process require, at a bare minimum, notice and opportunity to defend before any orders are made, especially when orders are coercive. This is a distinct pattern.



There are absolutely no facts in the order warranting ex parte ruling on the motion, in fact, magistrate Lueng expressly stated there were no extraordinary circumstances.

Based on the foregoing, the order should be stricken. If Wilhelm wants his motion granted, then he must send us a copy so we have an opportunity to counter it.

Submitted this 7 day of October 2014


John Thornton

Certificate of service

This is to certify that a true and correct copy of the foregoing has been mailed this 7 day of October 2014, to the plaintiff at the following address:

Jerry Wilhelm
U.S. Courthouse
300 S 4th Street
Suite 600
Minneapolis, MN 55415


John Thornton